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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MAJESTIC DRUG CO., INC.,

Plaintiff,

-against-

DENTEK ORAL CARE, INC.,

Defendant.
-----X

Civ. No.: 1:07-CV-05474 LAP

STIPULATION AND ORDER
OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel for the parties hereto that pursuant to the parties' Settlement Agreement made as of July 5, 2007 and subject to its terms including defendant's consent to continued jurisdiction and venue in this Court with respect to any claims for breach of it, the Complaint filed in this action on or about June 8, 2007 is dismissed without prejudice and plaintiff's Motion filed on or about June 25, 2007 for a preliminary injunction is withdrawn and both parties shall be responsible for their own costs and attorneys' fees.

Dated: New York, New York
August 2, 2007

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SO ORDERED:

U.S.D.J.

August 21, 2007

The Clerk of the Court Shall
mark this action closed and all
pending motions denied as moot.

SO ORDERED:

Loretta A. Preska
LORETTA A. PRESKA, U.S.D.J.